

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

**INTERNATIONAL LONGSHORE
AND WAREHOUSE UNION and
PACIFIC MARITIME ASSOCIATION,**

Plaintiffs,

v.

ICTSI OREGON, INC.,

Defendant,

and

**PORT OF PORTLAND and IBEW
LOCAL 48,**

Intervenor-Defendants.

Case No. 3:12-cv-1058-SI

ORDER

ICTSI OREGON, INC.,

Counterclaim-Plaintiff,

v.

**INTERNATIONAL LONGSHORE
AND WAREHOUSE UNION;
PACIFIC MARITIME ASSOCIATION;
INTERNATIONAL LONGSHORE
AND WAREHOUSE UNION Local 8; and
INTERNATIONAL LONGSHORE
AND WAREHOUSE UNION Local 40,**

Counterclaim-Defendants.

PORT OF PORTLAND,

Counterclaim-Plaintiff and
Crossclaim-Plaintiff,

v.

**PACIFIC MARITIME ASSOCIATION;
INTERNATIONAL LONGSHORE
AND WAREHOUSE UNION; and
INTERNATIONAL LONGSHORE AND
WAREHOUSE UNION LOCAL 8,**

Counterclaim-Defendants,

and

ICTSI OREGON, INC.,

Crossclaim-Defendant.

Michael H. Simon, District Judge.

Pursuant to Rule 41(a)(2) and the stipulated request of the parties and good cause appearing therefor, IT IS HEREBY ORDERED that the claims alleged by the Port of Portland against one or more of ILWU, ILWU Local 8, ILWU Local 40, and PMA are hereby DISMISSED with prejudice but without waiver of, and without any adjudicative or preclusive effect to, the parties' respective positions on the issue of whether or not the Port has the legal right to control assignment of the work associated with plugging, unplugging, and monitoring refrigerated containers at Terminal 6. Each party shall bear its own attorneys' fees and costs.

IT IS SO ORDERED.

DATED this 25th day of September, 2017.

/s/ Michael H. Simon
Michael H. Simon
United States District Judge